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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

Takenosuke HARADA et al.

Art Unit: 2617

Application No.: 09/928,236

Examiner: Srivastava, V.

Filed: 08/13/2001

Attorney Dkt. No.: 041-1961A

For: Broadcasting System and an Information Broadcast Receiving Terminal Apparatus  
Used Therein

ELECTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully reconsideration of the restriction requirement. Therein, the Examiner has alleged that the application contains five distinct species, using Figures 10-14 as the basis for the restrictions requirement.

It is respectfully contended that the restriction requirement is in error since the Examiner has not properly identified the groupings of inventions in the outstanding Office Action. That is, Figures 10-12 should be grouped together to define one invention with Figures 13 and 14 defining two other inventions. The brief description of the drawings reveals that Figures 10-12 all reference a first embodiment of the invention, with Figures 13 and 14 relating to other embodiments. Consequently, the restriction requirement should identify three inventive groups, the first covering Figures 10-12, the second directed to Figure 13, and the last directed to Figure 14.

If the Examiner continues to insist that Figures 10-14 define five patentably distinct species, the Examiner is called upon to support such an allegation with objective evidence.

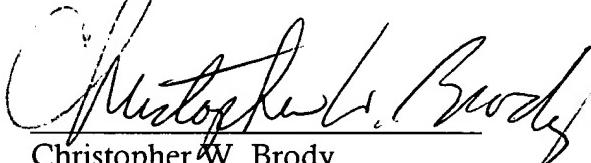
Having clarified that the invention is really grouped between three different inventions, Figures 10-12, Figure 13, and Figure 14, Applicants elect the invention of Figures 10-12. Claims 1-19, 22, and 31-42 correspond to the elected invention.

Also, since claims 1, 22, and 34 are the only independent claims in the application, if these claims are found allowable, it is contended that the restriction requirement should be withdrawn and all of the dependent claims should be allowed as well.

In light of the election outlined above, an early examination on the merits of this application is respectfully requested.

Applicants respectfully submit that there is no fee required for this submission, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,  
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